

**Remarks/Arguments:**

**I. Status**

The Office Action dated on February 1, 2011 (the “Office Action”), has been carefully reviewed. Claims 17-23 have been canceled and claim 24 has been amended. Accordingly, claims 24-43 are pending in this application. Reconsideration of this application is respectfully requested.

**II. Claim 24**

In the Office Action claim 24 was rejected as anticipated by U.S. Patent No. 4,721,104 of Kaufman. However, the Examiner recommended adding further descriptive language defining the gap in claim 24. Claim 24 has been amended to clarify that the gap is between a posterior surface of the femur and a proximal surface of a tibia. Accordingly, the Applicants respectfully submit that the rejection of claim 24 has been overcome.

**III. Claims 33 and 34**

In the Office Action claims 33 and 34 were rejected as anticipated by U.S. Patent No. 4,721,104 of Kaufman. Claims 33 and 34 depend from claim 24 which has been amended in the manner described above. Accordingly, the Applicants respectfully submit that the rejection of claims 33-34 has been overcome.

**IV. Claims 25-27**

In the Office Action claims 25-27 were objected to as being dependent upon a rejected base claim. Claims 25-27 depend from claim 24 which has been amended in the

manner described above. Accordingly, the Applicants respectfully submit that the objection to claims 25-27 has been overcome.

**V. Conclusion**

Applicants thank the Examiner for the clear explanation of the rejection based on Kaufman and the recommended amendments. Applicants respectfully request entry of the amendments and favorable consideration of the application.

A prompt and favorable action on the merits is requested.

Respectfully submitted,  
/James D. Wood/  
James D. Wood  
Registration No. 43,285

Maginot, Moore & Beck, LLP  
111 Monument Circle, Suite 3250  
Indianapolis, IN 46204-5115  
(317) 638-2922 phone  
(317) 638-2139 facsimile